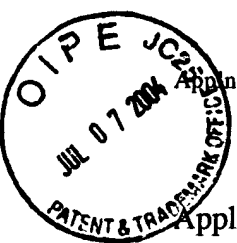


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Appln. No. 10/042,241

P21836.A07 (S 899/US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|--------------|---|-------------------------|---|---------------------------|
| Applicants | : | Pascal THOMAS et al. |) | |
| | | |) | Group Art Unit 3618 |
| Appln. No. | : | 10/042,241 ✓ |) | |
| | | |) | Examiner J. Allen Shriver |
| Docket No. | : | P21836 |) | |
| | | |) | Confirmation No. 4804 |
| Customer No. | : | 7055 |) | |
| | | |) | |
| Filed | : | January 11, 2002 |) | |
| | | |) | |
| Title | : | FRONT RETAINING ELEMENT |) | |
| | | FOR AN ALPINE SKI BOOT |) | |

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

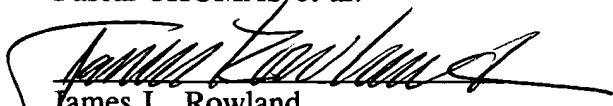
Commissioner for Patents
U.S. Patent and Trademark Office
220 20th Street South
Customer Window, Mail Stop *Issue Fee*
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

This is in response to the Reasons for Allowance attached to the Notice of Allowability (form PTOL-37), mailed May 11, 2004.

Although Applicants do not herewith express disagreement with the Examiner in her indication of reasons for the allowance of the claims of the instant application, Applicant notes that the allowed claims recite a plurality of features, and the patentability of the allowed claims should be considered to be based upon the totality of the features recited therein, *i.e.*, the invention "considered as a whole", as defining over the prior art. *Panduit Corp. v. Dennison Mfg. Co.*, 810 F.2d 1561, 1 USPQ2d 1593 (Fed. Cir. 1987). For example, Applicants submit that the reasons cited in the attachment to the Notice of Allowability do not preclude the existence of additional reasons that can be cited to support the patentability of the claims, *i.e.*, the independent claims as well as the various dependent claims.

Respectfully submitted,
Pascal THOMAS et al.


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July 2, 2004
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